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IN THE

Supreme Court of the United States

OCTOBER TERM, 1966.

No. 1034

CHESTER STEWART AND BURL BOONE,
Appellants,

vs.

INDUSTRIAL COMMISSION OF ILLINOIS, ET AL.
(NORTHWESTERN STEEL & WIRE COMPANY, ET AL.),
Appellees.

PETITION FOR REHEARING OF PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ILLINOIS.

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THE CHURCHILL-BLEDSOE PRINTING COMPANY, CHICAGO 56

"We hear of Tyrants, and those cruel ones: but, whatever we may have felt, we have never heard of any tyrant in such sort cruel, as to punish men for disobedience to laws or orders which he had kept them from the knowledge of"

—5, Benetham, Works (1843).

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PETITION FOR REHEARING OF PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ILLINOIS.

On April 17, 1967, this Court denied the Petition for Certiorari in this cause. For the reasons set forth below, we respectfully believe that a rehearing should be granted.

The Application of Section 19(f)(2) of the Illinois Workmen's Compensation Act, and Section 19(f)(2) of the Illinois Workmen's Occupational Diseases Act, as Amended in 1965, and as Applied to the Instant Factual Situation, Violated the 14th Amendment of the Constitution of the United States.

(1) There is an issue now presented by this case that far transcends the position of the two petitioners immediately involved, and which is infinitely disturbing in its im-

plication since it seriously concerns the public and lawyers alike and clearly demonstrates the importance and necessity of providing a reasonable means of distributing and publishing the texts of new laws and amendments to others.

(2) The volume of new laws, and amendments, have so increased that full, accurate, and prompt information of legislative activity is now quite important to the citizen and to his legal advisor. The present haphazard methods of publication disregard the public's interest in knowing what laws, amendments, and rules are in force at any particular time. Such disregard is clearly a denial of due process in that the citizens are constitutionally entitled to reasonable notice of changes of their substantive rights.

(3) Congress, in 1935, shortly after an embarrassing exposure in *Panama Refining Co.* v. *Ryan*, 293 U. S. 388, provided by statute for the establishment of a Federal Register, thus making possible an orderly and readily accessible body of laws, orders, regulations and amendments, as promulgated by the Federal government and its agencies. On the other hand, the State of Illinois does not provide a central registry for uniform filing of laws and amendments, and as a consequence thereof the public, affected by laws and amendments thereto is not able to ascertain applicable rules, regulations and amendments by going to one source. Had there been a uniform system for providing notice of changes in the law there would have been no "procedural uncertainties" nor a denial of constitutional rights as suffered by both *Stewart* and *Boone* in the instant case. We strongly feel that the public should not be penalized because of haphazard disbursement by the state of important information relative to new laws and/or amendments affecting its duties and rights.

Conclusion.

The Justices of this Court, heavily burdened with other important business, no doubt measured the importance of the question presented. However, the unique and unusual factual situation herein impels us to urge this Court to reconsider its denial of the petition for certiorari and upon such reconsideration to grant the petition for writ of certiorari. A clear judicial pronouncement—one way or the other—would be far better than to leave unclarified the results arrived at below.

Respectfully submitted,

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Certificate of Counsel.

I hereby certify that the foregoing petition is presented in good faith and not for delay and is restricted to grounds specified in Rule 58 of the rules of this Court.

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Counsel for Petitioners.

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1966.

STEWART ET AL. *v.* INDUSTRIAL COMM'N OF ILLINOIS ET AL.

APPEAL FROM THE SUPREME COURT OF ILLINOIS.

No. 1034. Decided April 17, 1967.

PER CURIAM.

The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.

Treating the papers whereon the appeal was taken as a petition for a writ of certiorari, certiorari is denied.